

REMARKS

Claims 1-3, 5-13, 17-20, and 45-48 are pending herein.

I. The obviousness rejections of claims 1, 9-11, 17-20 and 45-48 based on Goodale (US 5,125,075) in view of Tsuji (US 6,047,315), as noted on page 2 of the Office Action.

The USPTO respectfully rejects claims 1, 9-11, 17-20 and 45-48 under 35 U.S.C. §103(a) as being unpatentable over Goodale (US 5,125,075) in view of Tsuji (US 6,047,315). Claims 1, 45, and 48 are independent claims.

A. The cited references do not teach or suggest a structure that conducts at least one of the specifically claimed actions (1) and (2) when the next one of plurality circulation clients is incapable of circulation because the transmission of a file terminates incorrectly, as claimed in independent claim 1.

Claim 1 claims in relevant part:

“wherein when the next one of plurality of circulation clients is incapable of circulation because the **transmission of the circulation information file or the document file to the next one of the plurality of circulation clients terminates incorrectly**, ~~said transmission client or one of said plurality of circulation clients, having sent said document file and said circulation information file to said next one of said plurality of circulation clients being incapable of circulation, conducts at least one of (1) sending a disabled circulation report to the report destination specified by the disabled circulation report processing unit based on the report destination information included in said circulation information file, (2) sending said document file and said circulation information file to other one of said plurality of circulation clients next to said next one of said plurality of circulation clients, and (3) sending said document file and said circulation information file to a proxy client of said next one of said plurality of circulation clients so that the circulation of said circulation information file and said document file is continued regardless of said circulation client being incapable of conducting circulation.~~” (emphasis added)

No new matter is added by the amendments. Support for the amendments is found at page 33, line 16 through page 34, line 7 of the substitute specification filed November 16, 2006.

Regarding these limitations, it is respectfully not seen where the cited references teach or suggest the claimed structure quoted above.

For example, the USPTO respectfully notes on pages 3-4 of the Office Action that Goodale does not teach or suggest a structure that conducts at least one of the actions specifically claimed in claim 1. The USPTO respectfully attempts to overcome this deficiency in Goodale by arguing that Tsuji teaches notifying at least the sender by way of an error message when a client is incapable of performing operations including the transmission of a document file terminating correctly. However, it is respectfully important to note that **Tsuji only respectfully teaches notifying the sender of incorrect transmission, and does not teach or suggest anything regarding sending the file to an other one of the plurality of circulation clients or a proxy client when transmission terminates incorrectly**, as claimed in claim 1. In other words, it is respectfully important to note that the sender of Tsuji cited by the USPTO is not another one of the plurality of circulation clients or a proxy client, as claimed in claim 1.

In contrast, present Figures 1, 3, and 6 illustrate at least one possible embodiment of the claimed structure quoted above. For example, as explained on pages 19-20 and 33 of the substitute specification, when transmission of the circulation file by circulation transmission processor 16 fails to terminate correctly, the selection/transmission processor 22 specifies the proxy client 2 of the next circulation client 2 which is displayed in the display unit 7, and a message prompts selection of one of them. The circulation file is then sent to the selected client 2 and when circulation is disabled in the next circulation client 2, **each client is allowed to identify the client 2 where circulation is disabled and a file can be circulated by skipping the next circulation client 2 and sending the file to another circulation client, or can be circulated to a proxy client 2 of the next circulation client 2**. Thus, when circulation of a file terminates incorrectly, the structure shown in present Figures 1, 3, and 6 conducts at least one of (1) sending the document file and the circulation information file to other one of the plurality of circulation clients next to said next one of said plurality of circulation clients, and (2) sending the document file and the circulation information file to a proxy client of the next one of the plurality of circulation clients so that the circulation of the circulation information file and the document file is continued regardless of the circulation client being incapable of conducting circulation, as claimed in claim 1.

The distinction is important and non-trivial because it presents significant advantages over conventional structures. For example, as discussed on pages 33-34 of the present specification, the specifically claimed structure of claim 1 makes it possible that **the circulation of the circulation information file and the document file are continued regardless of the circulation client being incapable of conducting circulation**. Thus, it becomes possible to perform an intuitive operation and prevent incorrect transmission, thereby improving the reliability of the workflow system. **This advantage is not possible with the system of Tsuji** because only a sender is notified of incorrect transmission.

Thus, it is respectfully asserted that the cited references, taken either alone or in combination, do not teach or suggest all of the limitations of independent claim 1. Therefore, it is respectfully asserted that independent claim 1 is allowable over the cited references.

B. The cited references do not teach or suggest (1) sending the document to at least one of the successive destination and (2) sending the document to a proxy of the next destination if it is determined that the next destination is incapable of circulation, as claimed in independent claim 45.

Claim 45 claims in relevant part:

“(3) carrying out at least one of the following steps, if it is determined that the next destination is incapable of circulation:

(3-1) **sending the document to at least one of the successive destination**~~and a proxy of the next destination;~~ and

(3-2) ~~sending a disabled circulation report to a report destination based on report destination information included in said circulation information file~~**the document to a proxy of the next destination. (emphasis added)**

No new matter is added by the amendments. Support for the amendments is found at page 33, line 16 through page 34, line 7 of the substitute specification filed November 16, 2006.

Regarding these limitations, it is respectfully not seen where the cited references teach or suggest the claimed structure quoted above.

For example, the USPTO respectfully notes on pages 7-8 of the Office Action that Goodale does not teach or suggest a structure that conducts at least one of the actions specifically claimed in claim 45. The USPTO respectfully attempts to overcome this deficiency

in Goodale by arguing that Tsuji teaches notifying at least the sender by way of an error message when a client is incapable of performing operations including the transmission of a document file terminating correctly. However, it is respectfully important to note that **Tsuji only respectfully teaches notifying the sender, and does not teach or suggest anything regarding (1) sending the document to at least one of the successive destination and (2) sending the document to a proxy of the next destination if it is determined that the next destination is incapable of circulation**, as claimed in claim 45. In other words, it is respectfully important to note that the sender of Tsuji cited by the USPTO is not one of the successive destination or a proxy of the next destination, as claimed in claim 45.

In contrast, present Figures 1, 3, and 6 illustrate at least one possible embodiment of the claimed structure quoted above. For example, as explained on pages 19-20, and 33 of the substitute specification, when transmission of the circulation file by circulation transmission processor 16 fails to terminate correctly, the selection/transmission processor 22 specifies the proxy client 2 of the next circulation client 2 which is displayed in the display unit 7 and a message prompts selection of one of them. The circulation file is then sent to the selected client 2 and when circulation is disabled in the next circulation client 2, **each client is allowed to identify the client 2 where circulation is disabled and a file can be circulated by skipping the next circulation client 2 and being sent to the successive destination, or can be circulated to a proxy client 2 of the next circulation client 2**. Thus, the structure shown in present Figures 1, 3, and 6 conducts at least one of (1) sending the document to at least one of the successive destination and (2) sending the document to a proxy of the next destination if it is determined that the next destination is incapable of circulation, as claimed in claim 45.

The distinction is important and non-trivial because it presents significant advantages over conventional structures. For example, as discussed on pages 33-34 of the present specification, the specifically claimed structure of claim 45 makes it possible that **the circulation of the circulation information file and the document file are continued regardless of the circulation client being incapable of conducting circulation**. Thus, it becomes possible to perform an intuitive operation and prevent incorrect transmission, thereby

improving the reliability of the workflow system. **This advantage is not possible with the system of Tsuji** because only a sender is notified of incorrect transmission.

Thus, it is respectfully asserted that the cited references, taken either alone or in combination, do not teach or suggest all of the limitations of independent claim 45. Therefore, it is respectfully asserted that independent claim 45 is allowable over the cited references.

C. The cited references do not teach or suggest a structure for sending the document and the circulation information to at least one of the second one of the destinations and a proxy of the first one of the destinations if it is determined that the first one of the destinations is incapable of circulation, as claimed in claim 48.

Claim 48 claims in relevant part:

“(3) sending, if it is determined that the first one of the destinations is incapable of circulation, the document and the circulation information **to at least one of the second one of the destinations and a proxy of the first one of the destinations.**” (emphasis added)

For example, on page 10 of the Office Action, the USPTO respectfully notes that Goodale does not teach or suggest sending the document file and the circulation information file to another one of the plurality of circulation clients, or sending the document file and circulation information file to a proxy client of one of the plurality of circulation clients. The USPTO respectfully attempts to overcome this deficiency in Goodale by arguing on pages 10-11 of the Office Action that Tsuji teaches notifying the sender via an error message when a client is incapable of performing operations. However, it is respectfully asserted that the USPTO has made a technical error because Tsuji does not teach or suggest **sending the document and the circulation information to at least one of the second one of the destination and a proxy of the first one of the destination if it is determined that the first one of the destinations is incapable of circulation.**

For example, as previously argued in the Amendment filed June 26, 2008, it is respectfully important to note that notifying a sender via an error message is respectfully completely different from sending the file to at least one of a second one of the destinations and a proxy of the first one of the destinations. In other words, **in Tsuji, only an error message is sent to the sender,** and not to a second destination or a proxy of the first

destination. It is respectfully asserted that **Tsuji does not teach or suggest anything about continuing to send the mail item itself to other destinations or a proxy of the first destination**, as claimed in claim 48.

In contrast, present Figures 1 and 3 illustrate at least one possible embodiment of the claimed limitation quoted above. As explained on page 20 of the substitute specification, selection/transmission process 22 can specify a proxy client 2 of the next circulation client 2, and circulation clients 2 are specified one after another based on destination information. **The circulation file can be sent to one of these proxy client or second destinations**, as claimed in claim 48.

The distinction noted above is important and non-trivial because it results in significant advantages over conventional systems. For example, using the limitations described in claim 48 allows a circulation file to be properly circulated without interruption even if one of the receiving clients is unable to receive the file, **resulting in less downtime and increased efficiency**. In contrast, in the device of Tsuji, it is respectfully noted that circulation stops and the sender is notified, in which case there may be a time delay before the problem is fixed and circulation can resume.

Thus, it is respectfully asserted that the cited references, taken either alone or in combination, do not teach or suggest all of the limitations of claim 48. Therefore, it is respectfully asserted that claim 48 is allowable.

D. Further explanation.

Applicants respectfully note the following further explanation regarding claims 1, 45, and 48.

As the USPTO notes on pages 3-4 of the Office Action, for example, Goodale does not teach or suggest the structure that when the transmission of a circulation information file terminates incorrectly, one of said plurality of circulation clients, having sent said document file and said circulation information file to said next one of said plurality of circulation clients being incapable of circulation, conducts at least one of actions (1) and (2) recited in claim 1.

Instead, the USPTO asserts that the above feature would have been obvious from the combination of Goodale and Tsuji.

However, Tsuji teaches nothing about a technique to continue the circulation of the circulation information file and the document file when the transmission terminates incorrectly at a circulation client being incapable of conducting circulation.

Therefore, even if taking Goodale and Tsuji in combination, the cited references would not have been obvious over claims 1, 45, and 48.

E. The dependent claims.

As noted above, it is respectfully asserted that independent claims 1 and 45 are allowable, and therefore it is further respectfully asserted that dependent claims 9-11, 17-20 and 46-47 are also allowable.

II. The obviousness rejections of claims 2, 3, and 5-8 based on Goodale (US 5,125,075) in view of Tsuji (US 6,047,315) in view of Mori (US 6,526,425).

As noted above, it is respectfully asserted that independent claim 1 is allowable, and it is further respectfully asserted that Mori does not overcome the deficiencies of Goodale and Tsuji described above in part I. Therefore, it is respectfully asserted that dependent claims 2, 3, and 5-8 are also allowable.

III. The obviousness rejection of claim 12 based on Goodale (US 5,125,075) in view of Tsuji (US 6,047,315) in view of Murakami (US 2002/0161746).

As noted above, it is respectfully asserted that independent claim 1 is allowable, and it is further respectfully asserted that Murakami does not overcome the deficiencies of Goodale and Tsuji described above in part I. Therefore, it is respectfully asserted that dependent claim 12 is also allowable.

IV. The obviousness rejection of claim 13 based on Goodale (US 5,125,075) in view of Tsuji (US 6,047,315) in view of Phillips (US 7,058,696).

As noted above, it is respectfully asserted that independent claim 1 is allowable, and it

is further respectfully asserted that Phillips does not overcome the deficiencies of Goodale and Tsuji described above in part I. Therefore, it is respectfully asserted that dependent claim 13 is also allowable.

V. The new claims 49 and 50.

Applicants respectfully note that new claims 49 and 50 are added. No new matter is added. Support for the new claims can be found in original claim 1. As noted above, it is respectfully asserted that independent claim 1 is allowable as described in part I, and it is further respectfully asserted that dependent claims 49 and 50 are also allowable.

VI. Conclusion.

Reconsideration and allowance of all of the claims is respectfully requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Please contact the undersigned for any reason. Applicants seek to cooperate with the Examiner including via telephone if convenient for the Examiner.

Respectfully submitted,

By /Daniel P. Lent/
Daniel P. Lent
Registration No. 44,867

Date: January 7, 2009
CANTOR COLBURN LLP
20 Church Street
22nd floor
Hartford, CT 06103-3207
Telephone (860) 286-2929
Customer No.: 23413